

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

Jose A. Cruz-Kerkado, Phoenix Military Institute, Corp., and  
Centro de Adiestramientos Tácticos de Puerto Rico Corp.,  
Damas de la Segunda Enmienda, Corp. a/k/a Ladies of the  
Second Amendment and Gun Rights and Safety Association  
of Puerto Rico, Inc. a/k/a Puerto Rico NRA State  
Association  
*Plaintiffs*

v.

Commonwealth of Puerto Rico (by way of the Puerto Rico  
Department of Justice a/k/a *Departamento de Justicia*),  
Puerto Rico Police Department a/k/a *Policia de Puerto Rico*,  
Puerto Rico Department of Leisure and Sports a/k/a  
*Depatamento de Recreación y Deporte*, and the Puerto Rico  
Shooting Association a/k/a *Federación de Tiro de Armas*  
*Cortas y Rifles de Puerto Rico*  
*Defendants*

CIVIL ACTION

Case No 3:16-cv-2748

Constitutional Rights:

2<sup>nd</sup>. Amendment

**-Freedom of Association**

**-Tax on Second Amendment**

**PLAINTIFFS' MOTION**  
**FOR ENTRY OF JUDGMENT**

**PLAINTIFFS**, by their attorney, respectfully move this Court to enter a Judgment against the defendants, to declare specific sections of the Puerto Rico Weapons Act to be unconstitutional and do away with sport-club membership requirements for individuals as requisite for gun-permits, allow existence of non-sport gun practice clubs and remove the \$250 tax on the right to self-defense with a lawful firearm outside of the home. Plaintiffs request to the Court is lawful and reasonable.

On September 29, 2016, Plaintiffs filed a Complaint seeking a Declaratory and Injunctive relief. Shortly after, on January 4, 2017, the Plaintiffs filed the Amended Complaint which simplify controversies pending before this Court. The relief sought is a Judgment declaring that Puerto Rico Weapons Act sections 1.02(m), 3.01(c), 3.02 (A), 3.03 (7), 3.04 (B), 3.04 (D), 3.06, 2.02 (D), 6.02, and 2.05 (A), as well as corresponding administrative regulation, infringe the Second Amendment, and enjoin and restrain defendants, including controlling Puerto Rico Shooting Association, from enforcing unlawful regulation that prohibit non-sport gun clubs, require each gun-permit holder to compulsorily affiliate and support the PRSA and pay a Conceal Carry Stamp Tax for self-defense.

On November 23, 2016 and December 1, 2016, defendants filed their Motions to Dismiss. Shortly after, on March 15, 2017, both defendants, again filed Motions to Dismiss. The Plaintiffs timely filed their Oppositions (Dkts. #55 & #56) to both dispositive motions on March 29, 2017.

**PLAINTIFFS** respectfully move the Court for an Order/Judgment granting the relief.

In San Juan, Puerto Rico, on this 28<sup>th</sup>. day of June of 2017.

Respectfully submitted,

/S/ Humberto Cobo-Estrella, Esq.  
**USDC-PR230108**

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### **CERTIFICATE OF SERVICE**

I hereby certify that on June 28, 2017, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an operation of the Court's electronic filing system. Parties may access this filing through the Court's system. I further certify that a copy of the foregoing pleading and the Notice of Electronic Filing has been served by ordinary U.S. mail upon all parties for whom counsel has not yet entered an appearance electronically.

/S/ Humberto Cobo-Estrella, Esq.  
*Attorney for the Plaintiffs*